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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,402	01/16/2004	Takahito Maruyama	9281-4751	7475

7590 06/13/2005
Brinks Hofer Gilson & Lione
P. O. Box 10395
Chicago, IL 60610

EXAMINER

GHATT, DAVE A

ART UNIT	PAPER NUMBER
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2854

DATE MAILED: 06/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/759,402

Applicant(s)

MARUYAMA ET AL.

Examiner

Dave A. Ghatt

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 January 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/16/04.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claims 2 and 6-8 are objected to because of the following informalities:

Claim 2 recites “supporting shafts”. Maybe the applicant meant “a supporting shaft.”

In claim 6 line 4, the applicant claims “[A] circular arc shape whose *the* center is a contact point.” [Emphasis added.] Maybe the applicant meant, “[A] circular arc shape whose center is a contact point.”

Claims 7 and 8 are objected to for language similar to that of claim 6. Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Stephenson et al. (US 4,750,880). As shown in Figure 1, Stephenson et al. teaches a thermal printer having a platen roller 16 whose shaft must be rotatably supported to a main body case. Figures 1 and 3a-3c illustrate a thermal head composed of a long line head 18 and capable of contacting with or separating from the platen roller 18. Figures 3a-3c show a pair of head supporting members 30 for supporting both ends of the thermal head in the longitudinal direction, wherein one end of

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each of the head supporting members supporting the thermal head is rotatable with a rotation supporting portion (shown generally at 39) formed at another end thereof as a rotation point. Stephenson et al. also teaches least one of the rotation supporting portions of the pair of head supporting members is formed in a hole shape (shown at 40b) elongated in a direction parallel to a direction in which where the thermal head contacts or separates from the platen roller.

With respect to claim 8, Figure 2 shows the rotation supporting portions supported by supporting shafts 39.

With respect to claims 3 and 5, as shown in Figures 3a-3c, Stephenson et al. teaches an elastic member 56 applying an elastic force to the head supporting members 30.

With respect to claims 4 and 6-8, as shown in Figures 4a and 4b, Stephenson et al. teaches inner surfaces of the elongated hole shaped rotation supporting portion facing each other in the longitudinal direction are formed in a circular arc shape whose the center is a contact point of the thermal head and the platen roller.

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The applicant's attention is invited to the patents to Miyadera et al. (US 5,886,725 teaching a thermal printer with a thermal head with supporting members formed in an elongated hole) and Wills et al. (US 5,541,635 teaching a thermal printer with a thermal head with supporting members formed in an elongated hole).

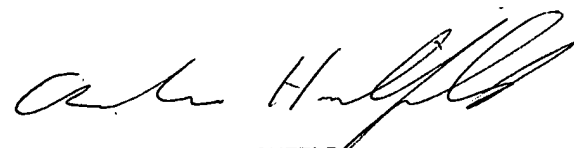
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5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dave A. Ghatt whose telephone number is (571) 272-2165. The examiner can normally be reached on Mondays through Friday 8:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew H. Hirshfeld can be reached on (571) 272-2168. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

DAG



ANDREW H. HIRSHFELD
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